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NATIONAL REVIEW

A WEEKLY JOURNAL OF OPINION

Right and Power in Arkansas

JAMES JACKSON KILPATRICK

Bonn and Belgrade

AN EDITORIAL

Bewilderment in Taipei

RODNEY GILBERT

Articles and Reviews by · · · · · JOHN ABBOT CLARK
VICTOR LASKY · JOHN CHAMBERLAIN · RUSSELL KIRK
WILLMOORE KENDALL · GARRY WILLS · ANTHONY LEJEUNE

For the Record

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● One: The Supreme Court overrules Soviet agent Steve Nelson's Pennsylvania conviction for sedition on the ground that state sedition laws were superseded by congressional enactment of the Smith Act. Two: The Supreme Court sets aside his conviction under the Smith Act and orders a new trial. Three: The Justice Department drops its indictment because some of its witnesses against him are dead, others unavailable. All that is needed to complete this legal Tinker-to-Evers-to-Chance play is for the Carnegie Peace Foundation to offer Nelson a job as director.

● In the anti-McCarthy, anti-AWARE, and anti-anti-Communist wars, Jack Gould, TV editor of the *New York Times*, has won his golden spurs as a front-rank knight in the left flank of the Establishment's cohorts. But even Mr. Gould's stomach has been turned by the gross bias in the national news coverage of the integration events. In a column on the TV reporting from Little Rock, Mr. Gould, swallowing hard, had this to say: "TV has not yet offered a single extended discussion . . . by a panel of outstanding and representative Southerners. From looking at TV it might be concluded . . . that violence and defiance were predominant in the South . . . How fruitful . . . it would have been to have a quartet of leading Southern editors or commentators discuss the problems with which they must live. Where television is concerned [Southerners] have not had an adequate opportunity to [tell their own story in their own way]." Perhaps Mr. Gould was reminding the networks not to go *too* far. They are supposed to be obligated *by law* to present all sides of controversial political issues.

● Eleanor Roosevelt is busy these days reacting to things over in Moscow. Of the new U.S. Ambassador there, lately reassigned from Austria: "I *think* that in some ways life must seem different to [him]." Of the four-year-old U.S. Embassy: "I am inclined to *think* necessity for speed in building has somewhat reduced its quality. . . . I also have seen certain housing developments [at home] which I didn't *think* lived up to FHA standards." Of the tomb of Lenin and Stalin: "This is one of the real sights of Moscow, I *think*." Of the Moscow sanitation department: "Women with long-handled brooms are each allocated an area and sweep the streets constantly. . . . I have never seen a cleaner city. . . . The people themselves must cooperate in a most astonishing fashion." Of the alleged terror: "How this cooperation is brought about I don't know. There are militia, as they are called, instead of police in the streets, and they keep strict order. But their efforts alone, I *think*, could not achieve these results. There must be an element of pride in the city which stimulates the people . . ." The italics are ours, we *think*.

● The *Bulletin of the Atomic Scientists* has published an article by the Yugoslav physicist, Stevan Dedijer, charging that by "freezing communication channels, the dictatorship of the proletariat becomes a dictatorship over the proletariat resulting in stagnation, bureaucracy, and degeneration." Mr. Dedijer—whose brother, President Tito's official biographer, was removed from high Communist posts for his support of the now jailed Milovan Djilas—comes to the heretical conclusion that freedom of speech "is *not* an imperialist plot."

Bonn and Belgrade

Into the account of American foreign policy there were entered this month the indelible records of a triumph and a disaster. The West German triumph was in the first instance Konrad Adenauer's, of course; and in its full significance, the free world's. But the United States and its postwar Administrations of both parties may rightly share in the rejoicing.

By giving Konrad Adenauer and his Christian Democratic Union an absolute parliamentary majority, West Germany—Germany, rather, for there can be no doubt that the West Germans spoke the will also of their silenced countrymen to the east—proclaimed its choice of freedom and Christian civilization, and its scornful defiance of the Khrushchev who had coarsely threatened annihilation for all Germans who dared to be free. This was the fruit of Konrad Adenauer's political leadership, and of the masterful economic program of his colleague, Ludwig Erhart. But it would not have been harvested had it not been for a German policy on Washington's part that, after shaking loose from the mire of the Morgenthau Plan, has been to a remarkable degree positive, enlightened and dynamic.

If Germany now takes a firm stand with the free world, not the least of the reasons is the fact that America has stood so firmly beside a Germany struggling to be free. It was an American decision and an almost incredible American performance that held Berlin by the great Air Lift. It was American economic support, both governmental and civilian, that permitted the West German turn to a free and rapid economic reconstruction. It was American initiative that brought Germany within the structure of NATO. And in its conduct toward Germany, after the first two clouded years, the American government has never hidden its approval of the person and policy of Konrad Adenauer.

On Herr Adenauer's side there has been a corresponding frankness. He has truckled not one iota to the shabby formulas of neutralism and anti-Americanism. He has persistently stated what he now open-

Roll of Dishonor

By a vote of sixty to ten, with ten abstentions, the General Assembly of the United Nations adopted the committee report condemning the Soviet "armed intervention" in Hungary.

NAY	ABSTAIN
Albania	Afghanistan
Bulgaria	Ceylon
Byelorussia	**Egypt**
Czechoslovakia	Finland
Hungary	**India**
Poland	**Indonesia**
Rumania	Nepal
Soviet Union	**Saudi Arabia**
Ukraine	Syria
Yugoslavia	Yemen

ly repeats as his comment on the election: that his victory is a victory not only for him and his party, but for a free economy, for NATO and the West, and for the United States as leader of the free world.

How lamentable—and how instructive also—was the simultaneous news from Belgrade! Toward Germany we have acted as befits us, in accord with our own religious, economic and political values; and we have done well. In relation to eastern Europe, betraying our birthright, we have gone whoring after false gods; and our policy has sunk into dismal defeat. In all but occasional—and at bottom hypocritical—lip service, we abandoned the only goal that expresses at once the meaning of our past and the interest of our future: the goal of liberation for the captive nations. We succumbed to the seductive vampire of "National Communism," and heaped our material and our moral treasures at her feet.

Tito and his imitator, Poland's Gomulka, in their daily joint communiqués during Gomulka's visit with his Yugoslav comrade, stripped off their masks. Each day they made their obeisance to the Soviet Union as the home of "the great October revolution," their protector and their leader. On each and every point at international dispute they declared their solidarity with the position of Moscow: on recognition of Red China, disarmament, Soviet intervention in Hungary, the Middle East, German rearmament and reunification—and, as if discounting Adenauer's victory in advance, on the Oder-Neisse boundary. Finally, in flat rejection of the whole concept of National Communism, they lined themselves up with the "Communist and workers' parties" of the world and "the world camp of socialism."

This is our bitter—but fitting—reward for the Acheson-Dulles obsessive pursuit of "national" Communism; for the arms and supplies and hundreds of millions of dollars that we have poured out as libations.

By supporting in Germany a free government and free economy and a man dedicated to freedom, we allied ourselves with the German nation and people, as well as with their leaders. But in the captive countries we gave our aid to the tyrants and through them to the system of tyranny that they administer. By upholding the Titos and Gomulkas we become their partners in the enslavement of their nations and peoples.

Adenauer. Tito. These are two elements that even the most skillful political chemist cannot mix. Between these two and what they stand for, one must *choose*.

His Foot in Their Mouth

If Mr. John B. Hollister, departing head of the International Cooperation Administration ("foreign aid") has any taste for sardonic amusement, he must be chuckling over the fuss kicked up by his final policy statement. Though his "edict" (as his enemies are calling it) may not be proof against future sapping or outright repudiation, it has already had the beneficial effect of forcing an issue into the open. Mr. Hollister has at least managed a public separation of sheep from goats.

What Mr. Hollister had to say about economic aid would seem to be unexceptionable doctrine for Americans, if unexpected to hear from a Washington official. He stressed "the U.S." conviction that "private ownership and operation of industrial and extractive enterprises contribute more effectively than public ownership and operation to the general improvement of the economy of a country . . ." But, too polite to bind his superiors in the Administration, he admitted there could be exceptions to the broad general rule.

Mr. Hollister left town without offering any comment on whether his statement represented a "change" in ICA policy. But "change" or not, it resulted in a quick drawing of the lines. ICA spokesmen called it a "Magna Carta" of foreign economic policy, but the State Department quickly instructed its Embassies in underdeveloped countries that all is as it has been. Department officials spoke ominously of muzzling the ICA. And the U.S. Information Agency told its overseas personnel to inform the peoples of the world that the U.S. government has no intention of "making over" anybody's economic system.

With the question now before us of a huge loan to India to carry through its predominantly socialist Five Year Plan, neither the State Department nor the Information Service wants a public discussion of

foreign aid fundamentals. Mr. Hollister has committed the indelicacy of making such discussion unavoidable. Though as head of ICA he has done a temperamentally distasteful job loyally and responsibly, this curtain speech is the prize act of Mr. Hollister's Washington performance.

No Trips to Newport

The outlines of what is going to happen in Little Rock are fairly clear by now. Governor Faubus will send his National Guardsmen home. The ten Negroes will be duly admitted to Central High School. There will be no violence. Governor Faubus will end up looking a fool—or a liar. The Constitution of the United States will have been "saved," its "supremacy" reasserted, and the capacity of federal district courts to enforce it placed beyond challenge. President Eisenhower will say as much in a news conference.

If "interposition" is construed as a matter of resistance to federal court orders by state and local officials, then interposition is, legally speaking, through. Another Governor Faubus in another Southern state may march his troops up the hill; but he will always find waiting for him a court order, backed up by an FBI report, instructing him to march his troops back down again. And he will obey.

But Little Rock is not the South, not passionately committed to segregation, and never did wish interposition in the first place. The interesting questions, therefore, are going to rise when Mr. Eisenhower and Mr. Brownell attempt to repeat their recent stunt in some community that means business about preventing integration—some community where the local Governor Faubus will be proved dead right about imminent violence as soon as he backs down before the local Judge Davies' order. What then? There can, on Mr. Eisenhower's and Judge Davies' doctrine, be only one answer: send in federal troops to put down the violence—and integrate the schools. Is not the Constitution the supreme law of the land? Must not the law be obeyed?

Unless in the most abstractly legal sense, however, the Constitution Mr. Eisenhower is saving is not the traditional Constitution of the United States. The latter is an elaborate scheme for preventing controversial problems from becoming unbridgeable legal issues that force alone can decide; for postponing such problems until agreed solutions can be arrived at. It can be successfully operated only by men whose spirit is its spirit, who are determined to make of the people of the United States—in Plato's classic phrase—better friends. It is oceans apart from the thinking going on in Mr. Eisenhower's and Mr. Brownell's heads, which can only disrupt community, make Northerners and Southerners worse friends, and encourage the idea that the way to promote justice is to roll out the tanks.

But Southerners may also have forgotten the Constitution. The Constitution does *not* give the states facilities for defying the orders of federal courts—not even unwise orders. But it gives them enormous facilities for heading off and circumventing such orders. The proper answer to the threat of federal troops in the South is to create a legal situation in which the troops cannot lawfully be sent there.

Why, for instance, has no Southern state abolished its public schools—and so side-stepped the whole integration problem? Why, particularly, have no steps been taken in that direction in South Carolina, where ex-Supreme Court Justice James F. Byrnes—who must have understood from the first the futility of resisting federal court orders—remains a political leader of great influence?

NATIONAL REVIEW awaits the imminent integration "crisis" in Virginia. Here for the first time, a Southern state aims to take its stand on a power which so clearly belongs to it under the Constitution as to place its resistance beyond the reach even of the Warren Court's sophistry. Not the power to resist a federal court order, not the power to call out the National Guard to "prevent violence," but rather the power to maintain or to close down, for such reasons as may seem good to it, this or that particular school in its own public school system.

If Washington has repealed the Constitution, let the South, led as so often in the past by Virginia, reenact it. And let the Governor of Virginia learn the real lesson of Little Rock, namely: No trips to Newport.

The Eisenhower Doctrine, Short Course

Try feeding these into your office Univac, and see what answer it comes up with:

1A. The U.S. appeases Nasser at the expense of its two closest allies.

1B. The U.S. infuriates Nasser by freezing all Egyptian credits.

2A. The U.S. funnels money and arms into Israel.

2B. The U.S. funnels money and arms into Jordan, which regards Israel as its prime enemy.

3A. The U.S. invents the idea of an anti-Soviet Baghdad Pact, and persuades Pakistan, Iran, Iraq, Turkey and Britain to join it.

3B. The U.S. refuses to join the Baghdad Pact.

4A. The U.S. encourages the big oil companies to develop the oil resources of the Middle East.

4B. The U.S. remains passive when Arab rulers

violate their contracts with the oil companies and sabotage pipelines, and promotes UN backing for the dictator who deliberately blocks the canal through which the oil tankers pass.

5A. The U.S. proclaims that it will protect the Middle East from Moscow.

5B. The U.S. doesn't lift a finger to hinder shipment of Soviet arms and personnel to Middle East nations.

6A. The U.S. acts as the principal patron of Zionism.

6B. The U.S. accepts the anti-Semitic employment regulations of the Arab monarchs.

7A. The U.S. supports Britain's defense of its treaty rights in Oman and Muscat.

7B. The U.S. supports, finances and arms King Saud, who arms the tribesmen who attack the British in Oman and Muscat.

8A. The State Department representative describes the Syrian crisis as a major and immediate threat to our national security.

8B. The President goes fishing.

. . . Well, at just about this point *our* Univac broke down and wept.

Freedom to Cross Central Park

New York, Sept. 17. The Ambassador of Nepal, Rishikesh Shaha, was mugged, robbed and stabbed this evening while walking in Central Park.

New York's Central Park and Harlem and the Bronx, and parts of Brooklyn and central Manhattan as well, have become playgrounds for gangs of youthful marauders whom we must not confuse with the problem adolescents of the past. There is something altogether new in the super-brutality and super-abandon of these delinquents, and talk about the problem begins to reflect genuine desperation.

Police power of the municipality should, clearly, do what is necessary, in New York or San Francisco or Butte or wherever, to make life safe for the man of peace and unsafe for the marauder. But what is it we are actually fighting? What is it that makes the fourteen-year-old thief, sadist or murderer? Some explain it by pointing to the disintegration of the family unit in our time. Some argue heatedly that the American Cult of Youth is yielding its harvest of unruly, undisciplined wildmen.

Some say the cause of delinquency is an excess of academic or social permissiveness. Others argue, contrariwise, that the hyper-regimentation of life, here as in the Soviet Union (which also has its delinquents) brings youths to indulge their normal instincts for self-assertion in anti-social ways. Still others speak of boredom, and how it drives men to terrible lengths in search of sensation and distraction.

Neither the youth cult nor overindulgence nor boredom, together or singly, accounts for the phenomenon. The detonator of this kind of human explosion is surely something else. It is the failure to *perceive* good and evil, the difference between them; and the failure to respect the sanctions, temporal and otherworldly, against breaking the natural law. That confusion issues from the reigning disease of our time, which is relativism. A relativist who is mature and self-disciplined may recognize that compliance with the mores of one's society irrespective of one's feelings about them is necessary to avoid anarchy. That same relativist may dedicate his life to persuading others that their society is no "better" than any other society, for the reason that *nothing* is demonstrably "good" or "bad"—but he will not, chances are, wander about Central Park at night looking for people to roll.

Also, however, he is in a poor position to lay down the law, in any sense-making fashion, to his sons and daughters. When they ask him why they should obey the law, he has—and can have—no satisfactory answer to them, and if they are, for whatever reason, inclined to be predatory, inhibitions are brushed aside, and suppressed desire becomes overt act. Relativism does away with standards; standards indicate what is, and is not, permissible.

In a word, our juvenile delinquents are perplexed, and for good reason. We cannot, of course, permit them to vent their perplexity on us; but we can intensify our fight against the intellectual and moral disease whose victims range from whole civilizations to strollers in Central Park.

To Our Present and Future Readers:

Despite NATIONAL REVIEW's best efforts, the inflationary spiral continues. Other journals of opinion, the *Nation* and *New Republic* among them, have raised their prices from 20¢ to 25¢ a copy, as have a number of mass circulation and advertisement-packed magazines such as *Time* and the *New Yorker*. So, "who are we among so many," as Shaw once said to the only heckler in an enthusiastic audience. And the answer, in this case, must be, conformists.

Accordingly, effective October 15, NATIONAL REVIEW will increase its newsstand price to 25¢ and its yearly subscription from $7.00 to $8.00 (two years—$15.00) in order to offset rising production costs. Until that date, may we suggest, both personal and gift subscriptions will be accepted at the old rate.

WILLIAM A. RUSHER, Publisher

The Liberal Line

Voice from the Grave Thirties

WILLMOORE KENDALL

The *New York Post,* sauciest and brashest of the Liberal Propaganda Machine's Manhattan outlets, still looks and sounds much like its less respectable predecessor *PM*—often, indeed, forgets which decade of the twentieth century it is publishing in (see first item below). Over a typical week-end (Thursday through Sunday) it lately did the following:

—Took vigorous exception to *Time-Life's* published plans for an International Industrial and Development Conference, to be held in San Francisco in October: "Guest of honor at this taffy-pull will be that renowned proponent of international friendship and peace, Alfred Krupp"; . . . "What [this celebrated ex-Nazi war criminal] has to tell this country is a mystery to us. . . . [But] if . . . the Luce brain-trusters think America can profit from [his] counsel, who is to say them nay? Certainly not Washington . . ."

—Had at the Scientific Advisory Committee of the New York City Health Department for a more recently invented crime than those of Herr Krupp, namely, saying nay *to* Washington: ". . . the committee . . . announced that . . . 'there was no need for great concern about any [Asian flu] epidemic in the city,' and . . . [that] it saw no reason for the mass immunization recommended by the U.S. Public Health Service. . . . A check with U.S. Surgeon General Burney's office reveals no change in his opinion. . . . What evidence does [the committee] have that contradicts the conclusions arrived at [and handed down from on high, of course] in Washington?"

—Rubbed its hands over a Washington news dispatch, "published in early editions of yesterday's *Times*" (and presumably omitted from later editions for political reasons), apparently on the grounds that the *Times* had told more of the truth than its editorial policy permits: "Governor Faubus' moves have upset the plan . . . to pass a moderate civil rights bill that would bury the [integration] issue for years and enable the Democratic Party to forget its bitter division. . . . The worst nightmare for the Democrats these days is the realization that school opens every year just before Election Day."

—Kept its fingers crossed about the forthcoming conference between the President and Governor Faubus: "If [the purpose] . . . is to enable Faubus to fall on his face with maximum grace in a lofty place . . . no quarrel. . . . But if this rendezvous becomes the occasion for a compromise 'deal' . . . it will be a national debacle. It will embolden every racist; it will dishearten every enlightened Southerner who has tried to comply with the spirit of the desegregation decision; it will make the federal government an accomplice in the destruction of federal law. . . . [We] withhold judgment."

—Made clear that *it* at least never wanted Huck Finn dropped from the New York Board of Education's approved textbook list, and *en passant,* laid bare the way it makes up its mind on such an issue: "The National Association for the Advancement of Colored People, while it considers some of the passages of the book 'offensive,' had made no complaint; [moreover] . . . a runaway slave named Jim, one of the story's chief characters, comes out with more dignity and integrity than the whites involved. . . . We urge our book fighters to concentrate their passion on Jim Crow . . . and keep their hands off Huck Finn."

—Said "Shamie!" at old ally Senator William Fulbright for standing up not to be counted on events in Little Rock: "Fulbright, who put Ambassador Gluck through a public wringer because he didn't know much about Ceylon, declined to comment. 'Not sufficiently informed,' he said. The man who was hazy about the place he was headed for looks better today than the Senator who is so hazy about where he's from."

—Revealed, on the eve of the German elections, that its views on a Social Democratic victory would be exactly what one would expect them to be: ". . . [We] find ourselves in a state of complete composure. . . . [The] outcome won't make any decisive difference. . . . [The] Social Democrats . . . would be no more likely to make a deal with the Russians than would the Christian Democrats. . . . The conflict in foreign policy between the two camps is more apparent than real."

—Took cognizance of the fact that *some* people had wished the Christian Democrats to win because they feared the *economic* consequences of a Social Democratic victory: "From the way Secretary Dulles . . . promoted the cause of the Adenauer camp it would seem that . . . a Social Democratic victory would mean [among other things] . . . the establishment of a Socialist tyranny. . . . It is unfortunate that the Eisenhower Administration should so feverishly identify itself with the cause of German conservatism. By doing so it has strengthened the world-wide suspicion that we are more concerned about propagating the economic doctrines of the National Association of Manufacturers than about fostering the basic idea of human liberty."

—Made the same point a second time (same day, same page): "The Administration has decreed that foreign aid will no longer be given to state-owned industries abroad. Unless they are in the hands of private interests, they will rate no U.S. loans. Thus the sanctity of private enterprise has become a major ideological export. . . . [The] world, and especially its underprivileged areas . . . must imitate our economic system if they are to get our help. . . . It is exactly such announcements that discredit our best deeds as a nation and feed the prejudices of 'neutralism.'"

—Left this reader under the impression that it would have made the same point a third time (same day, same page), had there been anything else handy to make it with.

Right and Power in Arkansas

At stake in Arkansas, says a distinguished Southern editor, are the community's right to peace and the state's power to protect it

JAMES JACKSON KILPATRICK

On the evening of Monday, September 2, which was Labor Day, Governor Orval E. Faubus of Arkansas issued certain orders to his National Guard, and early on the morning of Wednesday, the fourth, pursuant to those orders, more than a hundred members of the Guard took up stations of duty around Little Rock's Central High School.

The troops were posted, said Governor Faubus, solely to keep the peace. The troops were posted, retorted the Governor's angry critics, solely to block racial integration of the high school. And because the Governor's critics are more numerous and more articulate than his supporters, the story has gone forth to the country of a "defiant" state executive acting from anti-Negro bias.

Now, ours is the greatest nation on earth for missing the forest in concentrating on the trees. The nine Negro pupils are not really very important in all this; their names will be as lost, one day, as the name of Gavrillo Prinzip, who fired the shot at Sarajevo. It is not important that the Mayor of Little Rock repudiated the Governor, or that earlier the voters of Little Rock had repudiated the Mayor, or that Mr. Faubus wants a third term, or that the judge came from North Dakota. It is not even vital to an understanding of the crisis at Little Rock that we read the rude remarks addressed to Dr. Benjamin Fine.

There are two great conflicts here. One is a conflict of powers. The other is a conflict of rights.

The first of these, contrary to popular impression, does not involve the Supreme Court's power to prohibit to a state the operation of racially separate schools. Other Southern governors have contested that action by the Court. Mr. Faubus has not. On the day that mobs swirled around Central High School in Little Rock, and Guardsmen barred nine Negro pupils from the school, integration began without interference in Fort Smith and Van Buren.

The conflict stems from a state's use of its police power; and on this point, on the basis of what is now known, let this be said without hesitation: So far, the State of Arkansas and Orval Faubus are wholly in the right; they have acted lawfully; they are entitled to those great presumptions of the law which underlie the whole of our judicial tradition. When Mr. Eisenhower assured Governor Faubus that "the Federal Constitution will be upheld by me by every legal means at my command," the assurance might well have been construed as support for the Governor's dramatic action. Mr. Eisenhower did not mean it that way, of course, but if the federal Constitution truly is to be upheld, then Mr. Faubus, at this writing, will have to be upheld. This is why:

> The Police Power is an attribute of Sovereignty and a necessary attribute of every civilized government. . . . Consequently, it is inherent in the States of the American Union, possessed by every one of them as sovereign, and is not a grant derived from or under any written Constitution.

That is the way the section on "Police Power" begins in *American Jurisprudence*. More than this:

> The police power under the American constitutional system has been left to the States. It has always belonged to them and was not surrendered by them to the general government or directly restricted by the Constitution of the United States. It has repeatedly been held that no provisions of the Federal Constitution and none of the amendments added to that instrument were intended or designed to interfere with the police power of the several States.

And *Corpus Juris Secundum* says the same thing.

That is the stuff of which Freshman Law is made. Granted, of course, that the police power is not absolute, any more than the right of free speech is absolute; granted, too, that police power must always be exercised subject to the prohibitions laid upon the states by the Constitution. Granted these things, the essential fact remains and ought not to be obscured: The preservation of public order is a power reserved to the states. And the power of the state "to use its National Guard . . . within its borders in time of peace" is a power plainly spelled out in the National Guard Act of 1916.

Now, that is the law; it has always been the law, and the purple maledictions of the *Washington Post* cannot make it less the law. And because this is the law, Mr. Faubus is fully entitled to the presumption that accompanies every exercise of a lawful power—that is, that the power has been exercised lawfully. He is entitled, in the court of public opinion, to the presumption which shields even the petty thief, that he is innocent until proved guilty.

Precedents

There are not many Supreme Court precedents involving governors who have called out their militia. Three cases may be mentioned, one because it has been widely, and irrelevantly, recalled in the past two weeks, and the others because they shed some light on the issue.

The oldest precedent dates to 1809, when Governor Snyder of Pennsylvania called out a detachment of Guardsmen, under the command of General Michael Bright, to prevent a federal marshal from serving certain papers. The marshal served his papers anyhow; General Bright and his soldiers were tried and found guilty of obstructing justice. There was a

colorful yarn behind all this, but it need not concern us here: The point is that Governor Snyder was not relying upon his state's police power to prevent a breach of the peace. He was, in fact, defying judicial authority in a way that Mr. Faubus, who walked upon his driveway and shook hands with the federal marshal, was not.

Considerably more in point is a case that arose a hundred years later in Colorado, when Governor James H. Peabody called out the Guard to maintain order in a bitter labor dispute. Under the Governor's direction, Guardsmen took into custody a union organizer named Mayer, president of the Western Federation of Miners, and held him for two and a half months. Mayer later sued the Governor for damages. The Supreme Court, in an 8-0 opinion by Holmes, stoutly upheld the Governor's action. The Court said that "great weight" must be given to a governor's determination of public unrest, and the Court added: "When it comes to a decision by the head of the state upon a matter involving its life, the ordinary rights of individuals must yield to what he deems the necessities of the moment. *Public danger warrants the substitution of executive process for judicial process.*" (My emphasis)

The case most often recalled in the past few days, however, is the "Sterling case" in Texas. This arose late in the summer of 1931, when the Texas Railroad Commission laid down some stringent regulations on the production of oil. Producers in East Texas objected strenuously—so strenuously, in fact, that Governor Ross Sterling in August issued a proclamation declaring that certain counties were in a "state of insurrection, tumult, riot, and a breach of the peace." He laid down what he termed "martial law," and sent Brigadier General Jacob F. Wolters to the oil fields to take charge. Governor Sterling himself decreed a production limit of 165 barrels per well per day (later reduced to 100 barrels), and Wolters enforced the order. In October, producers asked a three-judge federal court to enjoin the Governor and the General from enforcing military or executive orders "regulating or restricting the production of oil from complainants' wells." The court heard Governor Sterling's argument that a virtual "state of war" existed in the oil fields, and that his orders were "acts of military necessity to suppress actually threatened war." But the court dismissed these contentions, and granted the injunction. From this order Sterling appealed.

On December 12, 1932, a unanimous Supreme Court affirmed the lower court. One paragraph from Chief Justice Hughes' opinion has been widely quoted. Sterling had said his order was unreviewable by a federal court. Hughes said:

> If this extreme position could be deemed to be well taken, it is manifest that the fiat of a State Governor, and not the Constitution of the United States, would be the supreme law of the land; that the restrictions of the Federal Constitution upon the exercise of State power would be but impotent phrases, the futility of which the State may at any time disclose by the simple process of transferring powers of legislation to the Governor to be exercised by him, beyond control, upon his assertion of necessity. Under our system of government, such a conclusion is obviously untenable. There is no such avenue of escape from the paramount authority of the Federal Constitution.

But the critics of Governor Faubus, taking comfort from that paragraph, would do well to read on in the Sterling opinion. Keep in mind, too, that Governor Faubus at no time has contended his orders to the Guard are not subject to judicial review. Hughes went on to say, in the next paragraph:

> The application of these principles does not fail to take into account the distinctive authority of the State. In the performance of its essential functions, promoting the security and well-being of its people, the State must of necessity enjoy a broad discretion . . . As the State has no more important interest than the maintenance of law and order, the power it confers upon the Governor as Chief Executive and commander-in-chief of its military forces to suppress insurrection and to preserve the peace is of the highest consequence. The determinations that the Governor makes within the range of that authority have all the weight which can be attributed to State action, and they must be viewed in the light of the object to which they may properly be addressed and with full recognition of its importance.

Hughes went on to say that a state governor is "appropriately vested with the discretion to determine whether an exigency requiring military aid . . . has arisen." And he asserted: "His decision to that effect is conclusive. . . . The nature of the power also necessarily implies . . . a range of honest judgment as to the measures to be taken in meeting force with force, in suppressing violence

Kreuttner

"We have no evidence that John Marshall's Court would have acted in any way contrary to this Court, if that Court had been this Court."

and restoring order." Having delivered itself of this dictum, as is the Court's frequent custom, the Court then brushed all these considerations to one side. The question before the Court, said Hughes grandly, "is simply with respect to the Governor's attempt to regulate by executive order the lawful use of complainants' properties in the production of oil." On that narrow issue, without passing upon the tumult in East Texas at all, the Court upheld the lower tribunal.

The point of all this is that a state is clearly within its lawful powers in calling out militia to maintain public order; the determination by a governor of conditions of turmoil is like a jury's finding of facts, and in such cases courts must act with the greatest care in substituting their judgment for that of a governor. If Governor Faubus can present substantial evidence of public unrest and threatened violence (he has not, like Governor Sterling, declared "martial law" or made bellicose charges of a "state of war"), he will have a strong case. And as a matter of *law* (we are keeping politics out of this), Mr. Brownell may have a difficult time rebutting such evidence with opposing evidence showing that everything in Little Rock was lovely. Unless the Constitution has been flung to the four winds, a question best not answered here, Mr. Faubus stands on presumptively sound ground.

The Conflict of Rights

The distinction between "rights" and "powers" is drawn carefully in the Constitution. The Ninth Amendment covers one, the Tenth the other; and when the Ninth asserts that the enumeration in the Constitution of certain rights shall not be "construed" to deny or disparage other rights retained by the people, it must be taken to mean that the courts, by the device of construction, shall not construe away those rights which are essential to the freedom and happiness of the people. It can mean nothing else.

It seems reasonable to assume that one of these rights, not enumerated, would be roughly the right that in real property is called the right of quiet possession—in general, the right to peace and tranquillity, the right to freedom from tumult and lawlessness. This is a sort of community right, a societal right, one retained not by the individual alone, but "by the people." And to get at the problem at hand, it may be suggested that the white parents of the South have some rights relating to the quiet education of their children under surroundings which they desire.

At the same time, the Supreme Court has created certain "rights" for Negro students. One of them, the right to attend a non-segregated public school, did not exist before May 17, 1954. The Court, taking a rib from the Fourteenth Amendment, simply created the right; and in doing so, the Court had to do a lawless thing. It seized from the states a power plainly reserved to the states. The Court undertook not to interpret the Constitution but to amend it.

Be that as it may, this supposed "right" came into being. Now the right, so created, of the Negro pupils of Arkansas to attend a desegregated school has come into conflict with the right, long established, of the people of Little Rock to enjoy domestic tranquillity. And the question that must be resolved is, Which is superior?

It is by no means a novel question. The Fifth Amendment guarantees that no man's property shall be taken "for public use" without just compensation. That is his right. But Congress and the courts have decided that a man's property may be taken from him for resale to another, willy-nilly, for construction of apartment houses that are not public but private. The right of the community to be free of slums, in brief, has been held to be superior to the right of an individual not to be deprived of his unoffending property. Or in a more familiar example, the Court has noted that the right of free speech gives no man the right to cry "fire!" in a crowded theater; the community's right, again, is superior. The freedom of religion guaranteed in the Constitution does not embrace the freedom of Faith Healers to handle rattlesnakes in public. And so it goes. The Community, no less than the individual, has rights.

It is true that in the past year or so, the Supreme Court, confronting such conflicts, has tended to put the rights of the individual above the rights of society. Thus, the right of a pro-Communist to practice law is superior to the right of California to deny him a license. The right of a Negro rapist to a speedy trial is superior to the right of women in the District of Columbia to be protected from him. The right of Mr. Watkins to evade questions is superior to the right of Congress to ask questions. The right of Mr. Yates to advocate abstract overthrow of the government is superior to the people's right to internal security.

Storm Ahead

The crisis in Little Rock is a part of this pattern of conflicting rights. Conceding, for the sake of discussion, that the Negro pupil has these new rights, what of the white community? *Has it none?* Demonstrably, the enrollment of Negro pupils in hitherto white schools leads to far more than what the Court once termed mere "disagreement" with legal principles. Manifestly, race-mixing of certain schools now leads to knifings, dynamitings, and other forms of violence. And thus far, integration has touched only the outer fringes of the Deep South. By far the worst is yet to come. The question thus raised so formidably in Little Rock is whether the rights of the nine pupils override the rights of the 1,900 pupils, whether admission to a desegregated school is a right superior to the right of a community to peace and order.

Something, somewhere, has to give. Either the states have broad powers to maintain public order, or they do not; either the people have a right to domestic tranquillity, or they do not. If the federal courts choose summarily to override the police power of the states, there is nothing much the states can do about it; and if the courts insist upon unyielding enforcement of the newly created rights of Negro pupils, the communities of the South may be reduced to chaos and blood may flow ankle-deep in the gutters, but there will be nothing much for the Southerners, white and black, to do but to turn to prayer and private schools.

Mr. Warren sowed the wind; he has not yet reaped the whirlwind. But when Mr. Faubus called out the Guard on September 4, Mr. Warren reaped a cold and ominous breeze carrying a hint of the storm ahead.

Bewilderment in Taipei

"He loves me, he loves me not"—that's how Taipei feels as Mr. Eisenhower and the State Department contradict one another on our China policy

RODNEY GILBERT

Whatever the higher authorities in Taipei definitely know about the attitude of the White House and the State Department towards the Mao despotism in Peiping and towards their own recognized republican government of China, the people and the press on the Island of Formosa have a bad time trying to figure out just where they stand in Washington's estimation. About three and a half years ago Assistant Secretary of State Walter Robertson told a House committee presided over by Representative Coudert that it was United States policy to keep up pressure on Red China until the Peiping regime was overthrown "from within or without."

That earned Mr. Robertson headlines in Taipei. It sounded as though the Eisenhower Administration would be sympathetic with an effort to overthrow Mao and his gang "from without"—meaning from Formosa of course. But then, about a year later, when President Eisenhower was asked at a press conference what this country's attitude towards a counter-attack on the mainland from Taiwan would be, he said that his government would want no part in a "war of aggression."

That was something of a shock to the logical faculties of Free China's editors. They posed some hypothetical questions. Just what did American recognition of their government mean, and what was it worth? On paper it was supposed to mean that Washington recognized that the government temporarily domiciled in Taipei was the only legal and fully sovereign government of all China. If so, didn't that imply that the regime established in Peiping through successfully violent action was just as clearly recognized as a rebel gang? How could this country possibly give any other rating to that regime if it recognized the sovereign authority over all China of the government headed by President Chiang Kai-shek? That being so, how could any military action taken by the recognized government for the purpose of reasserting its authority on the Chinese mainland be described as "aggressive" warfare? The Chinese answer to these inquiries into the logic of the President's remark would be best translated: "Heaven knows!"

The President's Remarks

Not so long after that, at another White House press conference the President was asked why, instead of endless dickering with the uppish Chinese Reds, we didn't blockade their ports. Mr. Eisenhower made a reply which he seemed to think all sufficient, that a blockade was an "act of war." The Chinese press in Taipei of course wanted to know why and how it was that Mr. Eisenhower thought that the United States was not at war with Red China. The editors pointed out that, in the unfortunate cease-fire agreement at Panmunjom, provision had been made for a peace treaty, the negotiation of which had never been seriously approached. If no state of war existed, what was the occasion for a peace treaty? If a state of war existed, the Panmunjom armistice covered in its terms just one local scene and phase of it. Being at war with Red China at large, how was the United States bound to abstain from military action to bring the Mao gang to its senses elsewhere? The Chinese answer again is best translated: "Heaven knows!"

Since then a few disconcerting remarks of the President have been the subject of perplexed comment in Taipei, but have been promptly disposed of by conspicuous action. His aimless babble about his sympathetic understanding of neutralism was effectually offset by Vice President Nixon's swift trip around the world, in the course of which he visited and put his blessing on all the Far Eastern and Southeast Asian nations which were committed to an anti-Communist stand, and bypassed all the neutralists—and none so conspicuously as Nehru's India.

Mr. Dulles' Rebuke

But that had just gone safely into public forgetfulness as an instance of President Eisenhower's gift for putting his foot in his mouth, when he made his more recent ingenuous remark about his sympathetic understanding of those who wanted to trade with Red China. The Formosan press did little more than heave a sigh of resignation; but the Liberal press in this country really went on a rhetorical jag. The rhapsodic praise of Mr. Eisenhower as a "realist" was just getting into really close harmony when Secretary Dulles went to the White House, said things that posterity may or may not find reported in White House annals, and then flew to San Francisco to deliver such a devastating rebuke to the Friends of Red China as reduced most to sullen silence and the rest to pained expressions of disappointment.

This, coming pretty closely in line with the American decision to react to Red violations of the Panmunjom agreement, flagrant and notorious since the afternoon of the day on which that shameful document was signed (and wept over by General Mark Clark), by modernizing military equipment in South Korea, put Taipei in a fairly complacent mood. An assurance from a Chinese government spokesman at a press conference some weeks ago to the effect that the United States Government had *never* asked the Government of Free China *not* to attack the mainland was reassuring indeed and deepened the feeling that, despite the

shocking and deeply deplored riots, the future of Chinese-American friendship was something to purr over.

But President Eisenhower's bumbling off-hand remarks have never upset Taipei as have some recent remarks attributed to Free China's trusted friend, Assistant Secretary Walter Robertson.

In a United Press despatch from New York, dated August 12, and printed in the Taipei papers of the 13th, Mr. Robertson was quoted as saying: "The United States has a written agreement with the Chinese Nationalist Government under which the forces of Chiang Kai-shek will not start a war for the mainland without our consent." This was a quotation from an editorial in the *World-Telegram and Sun* which, in turn, was supposed to be quoting from Mr. Robertson's testimony at a closed-door hearing of a House Appropriations subcommittee. In the dispatch that reached Taipei Mr. Robertson was further quoted as saying that he thought a knowledge of this (the written agreement) would have a wholesome effect because it would silence those "bleating" critics of U.S. policy who say that Chiang Kai-shek is trying to involve this country in a war with Red China and that we are sympathetic.

A Blow to Morale

In Taipei this sounded no more like Walter Robertson than it does here. Press comment was conditional upon verification of the report. But, for fear it was accurate, comment was nevertheless thoroughly angry. Some millions on the island, including hundreds of thousands armed and trained to no other end than the liberation of China from Red despotism, had been sitting all these years on the edges of their chairs waiting for the signal to go. Now every report from the mainland indicated that the situation was getting riper by the hour for the big effort. What a blow it was to the morale of all on the island and to hundreds of millions on the mainland to learn that no action could be taken without the permission of vacillating, pusillanimous Washington!

Free China's only English-language newspaper (other than a mimeographed news bulletin), *China Post,* is normally very restrained in editorial comment. The day after publication of this report, it dealt with the usual Chinese question about the significance of U.S. recognition of the Nationalist government's sovereignty and its right to assert it on the mainland. But it then closed:

> If the report is denied, well and good. If it is confirmed, a full explanation of the circumstances under which such an agreement was entered into must be forthcoming. . . . Everybody in this country lives on the hope of the eventual recovery of our national territories on the mainland. It would be a catastrophic disappointment to all free Chinese if they were to be told that their right of recovering those territories had been waived in return for certain forms of economic and military assistance.

In a communication addressed to the American youngsters in Moscow who were bent upon accepting the Mao gang's invitation to visit Red China, Under Secretary of State Christian Herter reminded them, among other things, of "the existence of a quasi-state of war" between the U.S. and the Mao despotism; and further reminded them that the terms of the Trading With the Enemy Act were still applicable to Red China, thereby clearly designating Red China as an "enemy" of the United States. That being the situation, as defined by so high an authority, the elementary rules of psychological warfare in support of operations against a recognized enemy clearly apply to this situation. These rules are: to build up by every means the morale of friends; and to destroy by every means the morale of enemies.

If Walter Robertson, speaking for the Department of State, has been correctly quoted, he did a tremendous lot in a few sentences to violate both these elementary rules—destroying the morale of a few million friends this side of the Bamboo Curtain and of a few hundred million on the other side of it, and greatly contributing to the morale of the enemy. Seeking answers to such situations the Chinese say: "Heaven knows!" Seeking words for comment on them, we do best with: "Ho-hum."

Letter from London

Controversy over Wolfenden Report: Can Morality Be Legislated?

ANTHONY LEJEUNE

The Wolfenden Report is almost like Suez come again. The newspapers have been full of it: every dinner table rings with controversy. The most unlikely people have views and mean to air them.

The Departmental Committee on Homosexual Offences and Prostitution was set up three years ago under the chairmanship of Sir John Wolfenden, the Vice-Chancellor of Reading University. Its members included two High Court judges, three women, two Members of Parliament, and several doctors, lawyers and ministers of religion. The real reasons why the committee was set up and why its conclusions have attracted so much interest are two: an increase in the number of prostitutes standing about the streets of London and some widely reported prosecutions for homosexual offenses, which involved well-known public figures from Peers of the Realm down. Whether these vices have actually increased seems doubtful, but the publicity attendant on them certainly has. The newspapers worked up a great outcry about how shameful it was for foreigners and young people to see so much vice flaunting itself in London.

The Committee therefore decided that what the public wanted were tidying-up measures rather than moralistic legislation. Some homosexuals gave evidence but the prostitutes refused to appear. The Committee felt satisfied, however, that there was very little "organized" vice and no coercion of girls to become prostitutes. The principal recommendations of the report were an increase in the penalties for "street offenses" by prostitutes (including the elimination of "annoyance" as a necessary element in the charge of soliciting) and that homosexual behavior between consenting males over the age of 21 should no longer be a crime at all.

Wolfenden has explained his position quite clearly. The law should protect the young and prevent public outrage, but it should not interfere more than absolutely necessary with private moral conduct.

Although several of them are debatable in detail, these recommendations are very much what thoughtful people had expected. The majority of lawyers approve of them. Representatives of the Church of England, the Catholics and the Methodists have all welcomed the section which deals with homosexuality, while expressing some doubt about the value of sterner laws aimed only at keeping prostitutes off the streets. The abolition of homosexuality as a criminal offense would deprive blackmailers of one of their commonest levers. But if there were now to be a straightforward plebiscite in Britain, I don't believe the Report would stand a chance.

One member of the Committee, Mr. James Adair, formerly Procurator-General at Glasgow, strongly dissented from the main recommendation about homosexuality. He has become a rallying point for the opposition, which is in full cry through the Beaverbrook press.

A humane and much respected magistrate quite agreed that there was no logic in making homosexuality a crime if fornication and adultery weren't: but then in his opinion they should be. A consistent position, but somewhat stern. Another commentator kept asking Wolfenden why, if he thinks law and morality should be kept separate, he doesn't suggest abolishing the penalties for incest.

The opposition to the Committee's proposals on prostitution was epitomized by a cartoon in the *Daily Mail*, which showed the Wolfenden Report as a housewife's brush comfortably sweeping all the pimps and prostitutes of London under the edge of a carpet. In fact the Committee admits that cleaning the streets will only drive the prostitutes underground and may cause an increase in that "organized vice" which is said hardly to exist at the moment. There will be more "call-girls" and more solicitation by advertisements in newspapers and on the boards of small shops. Whether this is to be preferred must be a matter of opinion which calls, as Wolfenden agrees, for specialized knowledge and a good deal of guesswork.

The recommendations with regard to prostitutes will probably be implemented: it is generally believed that no Government will dare to implement the others. As Macaulay said long ago, "We know no spectacle so ridiculous as the British public in one of its periodical fits of morality." In our present political situation, the moral fervor of quite a small section of the public can completely tie the hands of both Parties.

The public attitude was seen at its most sinister, though also at its most excusable, last week when a huge crowd of women attacked a police van (it was actually a decoy) supposed to contain a child-murderer. "Turn it over!" they shouted. "Let's get him out." (The sight of a British lynch mob ought to give pause to those who find it so easy to condemn the citizens of Little Rock, Arkansas.) In its most elevated form this attitude becomes a gentle lament over the decline of morals and the decadence of society. Isn't this just the sort of thing which destroyed the Roman Empire?, people ask.

To which there is a simple answer: No. What destroyed the Roman Empire was the growth of a huge, unwieldly bureaucratic machine, overcentralization, the overstrained resources of a paternal government, too many taxes, the idea that the urban proletariat must be fed and amused at public expense, and the substitution of convenient laws for any real religion or morality.

Wolfenden's best argument is exactly the one which has carried least weight. The law, he says, will only weaken individual moral responsibility by trying to take its place. What we want is fewer laws, not more. But of course nobody pays any attention. As soon as they see anything which they dislike or cannot understand, most people cry with a single voice: "There ought to be a law against it." This is why we are all moving so fast toward the servile state.

For Services Rendered

VICTOR LASKY

Ironic—isn't it?—that known Soviet agents like Judith Coplon, who take advantage of legal quirks, walk the streets freely while a man who fully cooperated with the FBI in smashing a dangerous spy ring is refused parole, despite his having spent six years in jail.

Also ironic is the fact that David Greenglass' appeal for conditional release from a fifteen-year sentence was rejected in the face of recent Supreme Court decisions making life easier for convicted Reds who bitterly refuse to cooperate with the Government.

Adding to the irony is the fact that Greenglass, whose testimony helped send Ethel and Julius Rosenberg to the electric chair, was strongly supported by Robert Morris, chief counsel to the Senate Internal Security Subcommittee, and Roy Cohn, who was assistant U.S. prosecutor at the Rosenberg trial. Both anti-Communist notables had informed the United States Board of Parole that, in their opinion, the fifteen-year sentence was unjust. Cohn, now in private law practice in New York, in a long letter to the Board said he knew from personal knowledge that, more than anything else, Greenglass' testimony had helped wreck a spy ring whose activities were described by the trial judge as "worse than murder."

Morris, whose conduct of anti-Red probes once even earned him praise from the American Civil Liberties Union, appeared personally before the Board. He insisted that the unjust sentence was having a detrimental effect on FBI anti-espionage activities. A disillusioned spy, ready to break with Communism, would think twice before going to the FBI with information conceivably affecting the nation's security, lest he find himself in the position of a Greenglass, or even worse, of a Harry Gold, another cooperative ex-spy, sentenced to thirty years.

But the Board—for the fourth time—refused to parole Greenglass and, as is its custom, did not explain why. As matters now stand, according to his lawyer, Greenglass will probably have to serve out his full term, which not even Alger Hiss and other convicted Reds have had to do.

O. John Rogge, representing Greenglass since his arrest in 1950, is decidedly pessimistic about his client's chances of getting time off for "meritorious conduct." He could offer no explanation of the Board's motivation, particularly since the tendency has been for parole boards to go easy on convicts.

"There's something wrong somewhere," says Rogge. "Except for Cohn and Bob Morris, who've got the guts to fight this thing through, others who could do so much suddenly discover reasons not to." This clearly referred to certain top officials who refuse to go to bat for Greenglass, even though they have stated privately that potential witnesses in Communist cases were being discouraged by what appears to be the Government's lack of support to those who testify against subversion.

Rogge's preoccupation with the case—of late, largely without recompense—is in itself ironical. Once a pet spokesman for Red-promoted "liberal" causes, Rogge has become the target of violent Communist abuse. He has also learned that the comrades play dirty—as when they looted his files of confidential material which, touted as compromising Greenglass, began turning up in Red publications here and abroad.

Key Witness

What makes the Greenglass case most poignant is the fact that he was Ethel Rosenberg's younger brother. When David was 21, brother-in-law Julius, whom he admittedly "hero-worshipped," inveigled him into slipping secret A-bomb data to a spy ring. Greenglass then was a sergeant at the hush-hush wartime atomic installation at Los Alamos, New Mexico. He furnished such data as sketches of the lens mold—the A-bomb's trigger apparatus.

His appearance as a key witness at the trial in March 1951, was one of the most dramatic in New York's long, colorful courtroom history. The Rosenbergs paled visibly as he described their traitorous acts.

As David later declared, this was the most horrible moment of his life. But the choice was not his to make. That his sister and brother-in-law were executed largely on his testimony was something he couldn't help. "If only they had told the truth," he said, "they'd be alive today."

In sentencing Greenglass, Federal Judge Samuel Kaufman declared: "You helped us strike a death blow to the trafficking of our military secrets by foreign agents." Yet, to the surprise of newsmen present, Judge Kaufman handed Greenglass a fifteen-year term. The usually-reliable scuttlebutt was that Greenglass had been promised five years.

Judge Kaufman has never explained his reasons for the stiff term. Or why, though known to be sympathetic to Greenglass' plight, he refuses to intercede with the Parole Board.

Bob Morris makes no secret of his dismay over the latest turn in the case. "In light of recent Supreme Court decisions," he says, "which will result in almost all recalcitrant Communists being relieved of jail terms, it is a travesty of justice when only witnesses who cooperate with the Government and congressional committees remain lodged in jail."

Meanwhile, 35-year-old David Greenglass, serving out his term at the federal penitentiary in Lewisburg, Pennsylvania, keeps on hoping. So does his wife, who has moved to Lewisburg from New York's lower East Side in order to be near him. Both believe things will work out for the best. Certainly they can't get worse.

One thing is sure: if he had remained faithful to Moscow's cause, a lavishly-subsidized "Committee to Secure Justice for David Greenglass" would have sprung up long ago, with various distinguished scientists, pedagogues and ministers in the forefront, proclaiming his innocence and demanding his immediate release.

From the Academy

RUSSELL KIRK

Lenin and the Naked Ladies: Part II

We Americans feel free. And as a young woman in California says who heads a dirty-picture-by-mail company, "We believe in the right of persons of mature mind to choose their own reading-matter." Recently there has been rejoicing in some quarters over the Supreme Court's having declared unconstitutional the Michigan obscenity statute that had been in force for more than a hundred years. At the moment, anything goes in Michigan,

So if the Communists are trying to gnaw at the foundations of American society by selling us prints of Mam'selle Fifi, they're wasting their time and money: we're geared up to corrupt ourselves four or five times as fast as the Russians can contrive to corrupt us. Most Communists, thoroughly armchair, are still enacting the dramas of the twenties; so it remains conceivable that they actually do hope to corrupt the politics of pornographers. But there are more convincing explanations of the Lenin-Monroe axis, or the union of Khrushchev with Ekberg.

There is the obvious profit motive: one way to support a Communist bookshop is to put in a line of fast-selling dirty books, building the glories of the new society out of the dregs of the old. You cannot find one American in ten thousand who would read even Howard Fast (before his apostasy); but the Man in the Gray Flannel Suit contributes his dollar to the till at Romaine's, after a brief and shamefaced browse through Nudity Nook.

And there is the old alliance, in certain types of character, between political and moral intransigency. In De Sade, Jacobinism and erotic flagellation were natural bedfellows: the impulse to destroy convention, to defile the past, moved in parallel channels. Thus, to many Communists, "bourgeois politics" and "bourgeois morality" are equally detestable, ancient iniquities deserving of any outrage. I do not mean that such is the attitude of all Communists: on the contrary, a kind of burlesque Puritanism is predominant at the commencement of most radical revolutions of this century, and many of the inner circle maintain an austerity in matters erotic which is a kind of caricature of Christian chastity, just as much in Communist doctrine is a caricature of Christian dogma. Nevertheless, for a large number of professed Marxists, the destruction of established moral convictions is more attractive than the hazy and distant classless society; and of the number of these, I suspect, are Romaine's and Mr. Foner and his associates.

And what ought we to do about all this? About the sale of Communist publications, I think we need to do nothing. I am not arguing from the premises of what is called "disintegrated liberalism"; I am not under the illusion that we are morally obliged to tolerate persons who never would tolerate us. The question, rather, is one of prudence. If Communist publications actually seemed to be subverting our society, then we ought to suppress them out of hand. The Bill of Rights, it cannot be said too often, is no suicide-pact. But there exists no clear and present danger to us from these publications; for Americans in this century simply will not read treatises on political and economic theory. If ever radicalism triumphs among us, it will be no exotic ideology; at the worst, it will have to be sugar-coated by Howard Fast and Philip Foner before we swallow the bolus.

But as for the pornography, whether sold in Communist bookshops or in capitalist bookshops, I think we ought to take some prudent action. I have no notion that the dirty pictures will subvert our constitutions. Yet the dirty pictures can subvert our culture, quite measurably; they can corrupt morals and taste and the whole realm of imagination and wonder. The debauchery of minds and sentiments by a steady diet of gross sensuality is an unmistakable mark of the decadence of any society. Every people always have had their censors, whether those censors worked through persuasion or compulsion. And an attempt to abolish even a voluntary and prudent censorship can only end—and that in quite short order—in a reaction which will produce a compulsory and imprudent censorship.

Despite all the talk about "the threat to the freedom to read," the only really serious threat to reading in this country comes from the apathy of Americans when confronted with any sort of book. We are perfectly free to read anything we like; but we choose to read almost nothing.

No really powerful group or interest in this country has any desire to interfere with the publication and the purchase of works on theology or politics or any other serious subject. It might be a good thing for book-reading if some power *did* oppose on principle the freedom to read: then we Americans might begin to think there might be something inside books, after all. What the seventeenth—and eighteenth—and nineteenth-century champions of a free press never expected was our present condition: a condition of almost perfect freedom to print and distribute whatever one may choose, and a coexisting almost perfect indifference to serious books on the part of the public.

So I do not indulge the fear that in locking up Mr. Roth, or in questioning the activities of Mr. Foner, we may betray the Bill of Rights and the legacy of John Stuart Mill and who knows what other liberties cherished by the orator. I do not think we need to padlock the Modern Bookshop, or that we will do anything of the sort. But if anyone tells me that my local druggist has an inalienable right to sell *Escapade* and *Nugget* to ninth-grade boys, I shall only reply that any right can be alienated by abuse. Any civilized community has its collective rights, thoroughly legitimate: and one of those rights is the right to abate a stench.

ARTS and MANNERS

JOHN ABBOT CLARK

Should We Blame the English Teachers?

I have long had the feeling that there is a direct connection between what is going on in many college English departments and what is happening to literature in these galvanic days of our degenerate years. And since the college English teacher is usually the last person in the world to be dragged into discussions carried on at today's wakes for literature, perhaps at this season of mists and mellow fruitfulness, the time is ripe for a quick, rambling look at the situation.

Sainte-Beuve, the great literary critic of the nineteenth century, has been accused of just about everything, from lechery to socialism. But, to the best of my knowledge, he has never been accused of pedantry or obscurantism. In a lecture at the *École Normale,* in which he differentiated between the duties of a professor of literature and those of a literary critic, he observed that the latter is "a sentinel always awake, always on the lookout; but he does not only cry 'Who goes there?' he gives help; far from resembling a pirate, or delighting in shipwrecks, he sometimes, like the coasting pilot, goes to the help of those whom the tempest overtakes as they enter or leave port."

But the obligations of the professor of literature, Sainte-Beuve maintained, "are smaller, or, I should say, different. He is bound to more reserve and more dignity. He must not go far from the sacred places which it is his part to show and to tend."

Today, even when the college English teacher's professional duties take him into those sacred places, more likely than not he prefers to think of himself, not as humanistic custodian or transmitter of the literary treasures to be found there, but rather as an objective, sternly "uncommitted" specialist in this author or that period. And he approaches his subject and handles its matter in the same spirit and as far as possible in the same way as the physicist approaches his cyclotron and handles his "incredible sharp substances." The former, I suspect, is all too often capable of cutting up Chaucer or Samuel Johnson with the same cold, clinical detachment that a biologist cuts up a rat.

New Malady

But we are not concerned here with any new dimensions that may have been added of late to old pedantries. What does concern us is a fairly new malady presently sweeping through our institutions of higher learning—galloping contemporaneity, or nuncitis. Whole departments have been ravaged by it, especially English departments, many of whose members in these days are nothing if not here-and-now minded (hundreds, if not thousands, of college English teachers are of course exculpated from any of the charges made below).

Not so many years back, a course in modern literature (when one was given at all) usually covered, in at least a gropingly selective fashion, a few of the more important-seeming writers of the past fifty or sixty years. Now, the time-span has been severely shortened, and the roster of authors to be studied greatly lengthened. For instructional and evaluation purposes, the decade, significantly enough, has displaced the half-century.

Strangely enough, though, at the very time when the attention (often quite minute, and still oftener quite loving) given to current authors by teachers and students is nearing its peak, contemporary literature is approaching its nadir. Should the college English teacher be made to shoulder much of the blame for this sorry state of literary affairs? I think he should.

To anyone who cares anything about his eyes or his time, reading very much contemporary literature is practically out of the question. Most of the fiction is unrelievedly lacerant; most of the poetry mangy, intolerably self-conscious and cutey-cute, displaying unmistakable signs of profuse thesauric sweat; most of the criticism positively laxative. But whole shoals of college English teachers eat it up. What's more, a great many of them are making very handsome careers of it, writing it, criticizing it, and teaching it. When, however, an eclectic, wide-ranging critic like Edmund Wilson writes that he has given up on the current literary output, or when a novelist of James Gould Cozzens' stature and integrity tells us that he "can't read ten pages of Steinbeck without throwing up"—well, statements like these should give us pause. (Just exactly how a teacher manages to spend a whole semester pawing over certain contemporary novelists is completely beyond me.)

Once upon a time the professor of English thought of himself primarily as a teacher—the guide, philosopher and friend of those who wanted to live a little more in the spirit. A lover of letters, he was dedicated to passing on more of that love to his students. Occasionally, without any pressure from above, he did a critical essay, tossed off a bit of verse, or piddled away secretly and more than half-ashamedly at a novel. Oftimes, he beguiled his leisure hours desultorily gathering notes for a monumental work of scholarship which he knew he'd never live to finish, or, for that matter, even start.

Now, far too many college English teachers do little reading outside their own field, and less teaching. With automatic hand, and a hi-fi, they put another record on the gramofi, and start cranking out another chapter of another monograph on one of the collateral relatives of one of the Dunces Pope inadvertently overlooked. All over Academia these days, the campus air is saturated with such plaintive interrogatives as "Brother, can you spare a fellowship?" and such crisp, businesslike declaratives as "Have project; will travel." Once, the college English teacher stayed at home and smoked at his students, *à la* Leacock's Oxford; now, he's usually off some-

where, carrying on "the battle of life [and literature] with the waiters in foreign hotels."

Sainte-Beuve once charged Chateaubriand with fobbing himself off "as the last of the crusaders, when he was only the first of the tourists." I don't know what a lot of college English teachers think of themselves as being the last of, or what in actual fact they may be only the first of; but I do know that with the coming of automation to college English departments (in the better ones, anyway, the publication of something, no matter what, some place, no matter where, every six months, is now mandatory), we may have seen the last of Porsonic scholars and Arnoldian crusaders. And we also know that tourism now takes precedence over teaching, which latter, like Ring Lardner's definition of home, is what one drops into "when all the other joints [is] closed up."

Once, the college English teacher was the linchpin of the Humanities; now, he's frequently little more than a student relations man for our upper-echelon Spillanes; or a mere bus boy for the people who really count —the educationists, the psychologists, and the physical scientists.

Once, in his views on things in general, in his politics, etc., the college English teacher was an independent thinker, very much his own man. Now, he's an intellectual, a Liberal (with all of the familiar built-in, wholly automatic responses to everything), who usually gets in his best ideological licks these days at the precinct level. Arthur Schlesinger, Jr., probably had him and his kind in mind recently when he sent out his straight-faced call for primers of our ethical sump pumps.

Once, the college English teacher was the sworn guardian and High Protector of the English tongue. He was fully aware of the fact that a living language is always changing and growing. He welcomed innovation when it brought freshness, vivacity and color to the language; fought it manfully when he felt it would lead to imprecision, impoverishment and degradation. (There were Nice-Nellies then, just as there are Nice-Ernests now.) He knew that language had to have its face lifted every now and again; but capricious tampering with its spinal cord drew forth his righteous fury. Under his watchful, Fowlerian eye, contemporary writers treated the English language as a trust, as well as a challenge, maintaining a decent respect for both their readers and their instrument.

Now, many of our linguistic historians, along with the Gallup-Poll grammarians, are busy providing an inductive basis for the human grunt. And, curiously enough, they tend to enunciate their counsels of linguistic putrefaction in the kind of mortuary prose that presumably went out with Walter Pater.

Now, a well-known and even better-received type of English teacher prides himself upon nothing so much

as being one of the boys—one of the dese-dem-dose boys. Thomas Sergeant Perry used to complain that the Harvard lads talked "like stableboys and read trash." Today, I'm afraid, that talk all too frequently receives official pedagogical sanction, while much of the trash passes all too easily for significant contemporary fiction.

Once, the college English teacher read Homer in the Greek; now he explicates Joyce in the gibberish. Once, he loved literature, took most of it for his reading province, and talked about it to his classes in broad human terms. Now, he often confuses a love of literature with a voracious appetite for the latest novels. Now, in the course of executing his neo-Alexandrian rolls in the catnip beds of that significant contemporary fiction already referred to, he can make a simple boy-meets-girl gambit in an even simpler present-day short story sound like one of the more forbiddingly technical papers read to the Beowulf section at the annual meeting of the Modern Language Association.

Once, the college English teacher was advocate and witness for the public literature; now, he's frequently found championing the mass literature, and/or perpetrating a little private literature of his own. As Thoreau might observe, we're nothing if not a nimble bunch today, writing a critique for the *Sewanee Review* one quarter, a story for *Esquire* the next month. But when teachers and critics can hail Al Capp as another Congreve, it ill becomes them to sigh over the death of satire and humor, or deplore the fact that Dryden and Swift are not read as much as they used to be.

The Sea Behind

The college English teacher's chief obligation is to turn out common readers, old style, not creative writers, new style. He should try to keep alive a knowledge, encourage an understanding, and, if possible, inspire a love for Sainte-Beuve's sacred places. His primary duty is to literature, literature that has been out of its chrysalis long enough to have demonstrated its durability and continuing appeal. By sticking closer to what the past has given us, and by leaving *largely* to critics, reviewers, and the general reading public what is just hot off the presses, the college English teacher will be insuring not only a brighter future for the best of the past, but a surer future for the best of the present as well. The old saying still holds—we remember, that we may be remembered.

Earlier, when English teachers were more concerned with the sea behind them than the ponds in front of them, contemporary literature prospered, mainly because its practitioners were aware of something solid, something tested, something worthy of emulation, at their backs. It was, and always will be reassuring as well as fortifying to a genuine artist to know that this something solid, something sacred, is being shown, being tended.

"Why, Hal, 'tis my vocation, Hal," protested Falstaff. " 'Tis no sin for a man to labor in his vocation." But then Falstaff, of course, was not an English teacher.

BOOKS IN REVIEW

The Disputed Twenties

JOHN CHAMBERLAIN

Sean O' Faolain's *The Vanishing Hero: Studies in Novelists of the Twenties* (Atlantic-Little Brown, $3.75) is a brilliant work, full of poetic insights and that wonderfully soft quality which Irish writers generally bring to their own particular manipulation of the English tongue. Whether its point of view, its selection of representative authors and its conclusions are entirely just to the period, however, is something worth considerably more argument than Mr. O'Faolain is disposed to give it.

Briefly, Mr. O'Faolain condemns the novelists of the twenties for concentrating on the will-less man. Maybe "condemns" is too strong a word for it, for Mr. O'Faolain does not hold his chosen novelists—the list includes Aldous Huxley, Evelyn Waugh, Graham Greene, William Faulkner, Ernest Hemingway, Elizabeth Bowen, Virginia Woolf and James Joyce—responsible for the state of the society into which they happened to be born. Nevertheless, the note of something considerably stronger than regret is there; quite obviously Mr. O'Faolain thinks that affirmation does not wholly depend on social circumstances, even though he does say that "nobody can affirm out of personal integrity alone."

The twenties, in Mr. O'Faolain's estimation, witnessed the culmination of a disintegration that had begun long before, at least as early as the nineteenth-century Romantic's perception that the "social Hero" was a contradiction in terms when society itself was patently villainous. In a long foreword Mr. O'Faolain traces the ancestry of the "anti-Hero," the Stendhalian rebel who mocked the glories of Napoleon, the energies of Balzac and the values of the bourgeois. Since he is neither a philosopher nor a theologian, nor yet a sociologist, O'Faolain says he "does not pretend to know" why the acids of doubt suddenly caused the complete disintegration of the "social Hero" in the twenties. He surmises that it might have come out of a combination of such things as the "fissuration of the European tradition," the decline of religious certainty, the emergence of rationalism, the death of the aristocratic ideal, the percolating influence of Darwin and Freud, the rise of the bourgeois. But when he gets down to cases with his discussion of specific novelists it is apparent that O'Faolain has a single touchstone: does the author deny the possibility that human beings may have the dignity, the virtue and the solace of free will? If there is free will, O'Faolain seems to say, then man can create his values anew even in a world of chaos and seemingly indecipherable flux. Given free will, heroes are possible, even when the social norms are askew.

Thus O'Faolain decides against the Aldous Huxley of the twenties because Huxley himself took the attitude of jesting Pilate when asked whether the boredom of his characters should be blamed on themselves or on the "wearisome condition of humanity." Evelyn Waugh comes off better than Huxley, for Waugh grants his foolish young things "virtues, however foolishly applied." With his feeling for tradition, Waugh implies a norm which gives validity to his satire. But Huxley, lacking a norm, achieved nothing beyond vituperation. As for Graham Greene, a Catholic like Waugh, O'Faolain is obviously depressed over Greene's "Jansenist" feeling that men can do nothing for or by themselves to escape a predestination to evil. However, where Jansen, the seventeenth-century Bishop of Ypres, "did at least allow that man is free from external coercion," Greene, the modern Jansenist, "rigs" his novels to "coerce man into sin."

O'Faolain sees Faulkner as "dominated by the overpowering weight of fate from the past." Again, it is the absence of will which oppresses O'Faolain in the presence of Faulkner's idiots, white trash and decaying aristocrats. Though he approves of Elizabeth Bowen's "passionately felt protest against the modern dessication of feeling," O'Faolain is depressed by the "sense of outer forces at work" in Miss Bowen's world. As for Virginia Woolf, she is "Narcissa," unable to "construct a faith out of her experience of life." And James Joyce is "Lucifer," the proud nihilist who took for his motto a defiant "I will not serve."

No doubt Mr. O'Faolain has pinned most of his specimens down and labeled them correctly. But his thesis breaks into bits when he comes to write about Ernest Hemingway, the manipulator of "men without memories." Though Hemingway's characters are generally rootless, and "screened" from time "at both ends" of the typical Hemingway story, they are capable of wilfulness, of heroism, and of matching themselves superbly against man, or the elements, or death and eternity. Hemingway, says O'Faolain, "is not a thoughtful man," but he "loves gallant men and gallant animals" and he has "roved the world in search of that flame of spirit in men and beasts."

The question inevitably poses itself: was Hemingway more truly representative of the twenties than Woolf and Joyce, or Huxley and Graham Greene? Looking back on that age of energetic individualism, an age in which the wilfulness of the young

seemed to coruscate and dance all over the place (even pessimism was accepted with gusto), it now seems that it was mostly a time of heroes. Far from dealing in "anti-Heroes," Sinclair Lewis created a Doc Kennicott who served his community in Gopher Prairie, a Babbitt who believed in the City Beautiful of Zenith, and a Martin Arrowsmith who served the cause of research as monks once served the Church of God. Willa Cather's books, whether they deal with young singers, with prairie mothers, with humane archbishops, or with "lost" ladies made for love, are a far cry from the characters of Graham Greene. Even Fitzgerald's obtuse Gatsby "pursues the green light." By contrast with the twenties, it is the thirties, the decade of the doughface proletarian who is pushed around by Marx's own brand of social predestinarianism, which seems willless, at least in novelistic art.

The values of the twenties are, of course, open to considerable question, and quite as Mr. O'Faolain says, it was not a time which believed in the sort of norms which can result in a "representative Hero." But Mr. O'Faolain does the period wrong when he implies that it was the time of the will-less man.

"Let's Go Witch-Hunter Hunting"

GARRY WILLS

The Price of Power (University of Chicago Press, $3.50) is a cavalier treatment by Herbert Agar of the last twelve years in America. By reason of large print, a chronology of the period it skims, bibliography and index, it just barely attains two hundred pages and status as a volume in the Chicago History of American Civilization series. The editor of the series feels obliged to admit that this type of writing is not what we ordinarily term history, but he finds comfort in the fact that "for readers of a later day this volume will be itself a historical document"—a thing true of our telephone books.

The book attempts a "Greek chorus" approach to "the drama of our age," lyric, citing famous poets, lamenting witch hunts, and praising the heroes—Truman or Oppenheimer, Acheson or Eisenhower—with phrases culled from their own perorations. This "seercraft" of history is very popular among Liberals, but it normally takes the form of a sophisticated, Freudian analysis of the complexes that led to McCarthy, the Oedipus-isolationism that makes the Midwest fear Father Europe. Agar's reading of motives is, like his rhetoric, more homespun, woven of the Truman cloth.

The rhetoric: "Having walked tentatively upon Mr. Dulles' prostrate body, he [McCarthy] began jumping up and down." The depth of human insight: Question—How can "isolationists" be for any firm commitment to true allies? Answer—Having run so far from Europe, Knowland looks around and finds himself in Asia.

Again the prose-poetic phrase tells all, this time Thoreau's "Eastward I go only by force, but westward I go free." This may not explain the conservative support of satellite freedom movements in Europe, but at least it keeps Knowland, called in this elegant history "the leader of the Chiang gang," filed safely in his place under an 'Isolation" label.

McCarthy is, of course, given the usual Punch-and-Judy pommeling. (It is a game with them now; one need only say "Let's go witch-hunter hunting" and the whole pack is loose, baying its indignation at the hunt, its hatred of persecutions.) But it is only in the Hiss-Chambers section that partisan phrasing becomes calculated malice. There is here no argument over guilt or innocence, facts quite irrelevant to the "chorus-seer" interpretation of drift, trend, and symbol. Hiss, for instance, was primarily a symbol on which the anti-intellectuals could vent their inhuman hatred of Acheson:

> . . . he became everybody that the American tory had impotently hated. He was the bright young men whose advice had been taken in Washington instead of the advice of the solid business community. He was the writers who had satirized the self-esteem and laughed at the brains of the plutocracy. He was the professors who had taught that America is involved with all mankind and that, in case Communism is the enemy, we might as well know something about it. . . . Many months were to pass and much madness was to boil and bubble on the surface of American life before the Secretary himself could be attacked, even by indirection, as one of the powers of darkness. But Hiss was the ideal wax image into which the needles of malevolence might be plunged.

(How revealing is each choice of phrase in this bubbling choral ode of comment: "*in case* Communism is the enemy," "the Secretary himself.")

And what of Chambers, who led this malevolent prelude to "boiling madness"? Chambers, of course, was speaking as "a spy of long standing, whose sensitive conscience, now that he had again changed sides, led him week by week to remember worse and worse." A man of "sudden excitements," the poor fellow was confused by "several would-be souls warring within [him]." Yet, to avoid arguing with the facts, and with The Fact of Hiss' conviction, Agar must damn with the faint "Occasionally, when he was not enacting a complicated fantasy to soothe his sense of guilt, he probably meant exactly what he said."

This book is, in every respect, that of an "unadvanced" Liberal, nowhere more so than here: the brighter and more fluent Liberal has quit trying to wrest some advantage from the Hiss case. He would forget, and leave Chambers to forgive. But not only does Agar repeat the early arguments that party membership meant nothing, and means nothing, compared to free thought and freedom from persecution; he actually hints that treason is not so bad, even in our day, for "the unhappy Hiss could never have foreseen such a world when he was peddling his trivial bits and pieces . . . small ones that doubtless confused and bored the men in Moscow." How fortunate that Hiss and the Communists have no sense of the apocalyptic struggle of our day. Doubtless we should encourage more Hisses, the better to confuse and bore our naive enemies in Moscow.

What recommendations does Agar have? Who cannot guess by now? Be brave, advanced, and Liberal. We

were all terribly innocent—all, even sagacious old F.D.R., whose only sin at Yalta was his straightforward trust in humanity. Now we have suffered the shock of disillusion; in another elegant Agar phrase, McCarthyism was the pimples of our adolescence. We are prepared to "take our place among the nations of the world." Agar is not concerned with what we say after we take our place at every UN conference and disarmament meeting; he cares only that we be present and speaking, listening and learning—from Russians and from all men searching for the truth.

REVIEWED IN BRIEF

A HISTORY OF COMMUNISM IN EAST ASIA, by Captain Malcolm Kennedy (Praeger, $8.50). In the Far East and in Southern Asia there has been some resentment everywhere of Occidental "colonialism," "imperialism," and even tutelage, for more than a century. Several years before Zinoviev remarked in 1925 that "there is no doubt that the road to World Revolution lies through the East rather than through the West," Soviet agents were all over Asia feverishly exploiting this sometimes rampant, sometimes sullenly silent hostility to the West. This bulky volume of Captain Kennedy's (556 pages), tightly packed with facts, deals competently and in as much detail as the average reader will ever want, with Communist policies and operations in every country from India to Japan and from Indonesia to Tannu Tuva. Its greatest value will doubtless be as a reference book, but, far from being dull, it is good reading and easy reading.

R. G.

LETTERS OF JAMES JOYCE, edited by Stuart Gilbert (Viking, $7.50). No one who knows Joyce's work, legend, or declared aims, will be surprised at his letters. They are probably the least interesting by a so-called "creative writer" ever published. They have no juice, no personality, no openness, no charm, no heat. Much of the time, they might have been written by a travelling salesman whose "line" is minutely carved jade—a man whose private heart, soul, and self-knowing have nothing to do with his work. Joyce had passion in him, as his early writing makes clear; and he had a resourceful, scrupulous gift for language. But after 1915 (roughly), these two elements seem to abhor each other, and go about their business separately. The passion flourished, as the best of the letters show, in his love for his family, especially his daughter. But the words, thousands and thousands of them, which his "patience, cunning and exile" mitred together, stand terribly alone—uncommitted, unbegotten-upon, meaning anything, nothing.

R.P.

THE SOVIET SECRET POLICE, edited by Simon Wolin and Robert M. Slusser (Praeger, $8.00). Although too textbook-like for light reading, this carefully documented volume bulges with definitive information on the dimly understood Soviet intelligence apparatus—that pillar of Soviet "society" and weapon of world enslavement. The Secret Police utilizes, for its unbelievably varied, world-wide operations, twice the manpower of the U.S. Army. And—a fact just plain incomprehensible to most Americans—everyone, everywhere, having *any* connection whatsoever with Communism, is directly or indirectly a spy, willing or not. Happily, the very magnitude and ruthlessness of Red intelligence is our most effective defense, for they simply cannot trust themselves. But neither can we trust that its operations will be hindered by *any* qualms, physical, legal or moral.

J. P. M.

WORSHIP AND WORK, by Colman J. Barry, O.S.B. (Saint John's Abbey, Price not stated). This volume gives a detailed history of the first century of St. John's Abbey and its various dependencies, including St. John's College. Among the many members of the order whose services are lovingly recounted, one must particularly admire Father Alcuin, Abbot from 1921 to 1951, who had the wisdom and courage bluntly to tell Senators and Congressmen that "The indiscriminate higher education of so many who are unable to profit by it has become a menace to the welfare of our country." If the heads of other academic institutions had had Abbot Alcuin's perspicacity and candor, fewer of their successors today would be willing to subordinate the national welfare to a chance for a fast buck.

R. P. O.

PLATERO AND I, by Juan Ramón Jiménez. Translated by Eloïse Roach (University of Texas, $3.75). Born in 1881, Jiménez has been one of the leading poets to use the Spanish language in this century, yet until he was awarded the Nobel Prize last year, he was barely known outside the Hispanic world. *Platero and I* has been his most popular work for forty years, though, like Ravel's *Bolero* or Yeats' *Isle of Innisfree*, by no means his most representative. Hence, especially for Americans, it is not the best introduction. For these tiny pastorals, barely more than paragraphs, were addressed by Jiménez to his pet donkey, in whom he confided his feelings about the children, seasons, weather, crops, and public events in the small Andalusian town where he lived as a young man. To our own urbanized decades, his voice will probably sound slight, naive, romantically melancholy, and excessively pure-in-heart. Unfortunately for us, it will not be Jiménez who is entirely at fault.

R. P.

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To the Editor

Congressional Power

I cannot refrain from saying "cheers," and "keep up the good work," over that most excellent and most needed editorial "Who Makes Our Laws?" in the September 14 issue. . . .

Since the days of the Schoolmaster (as I have termed him), Woodrow Wilson, I have in my small circle railed at the executives' intrusion upon and usurpation of the functions and jurisdiction of Congress. . . . the Schoolmaster in the main fell on his face in his effort to defeat Congressmen who voted contrary to his will, and to supplant them with men who (shamefully, as I view it) publicly avowed their willingness "to be guided by our great President." In the district in which I was then living he succeeded in bringing about the defeat of a Representative who had dared to vote against a measure called for by the President. . . .

I am cheered by the hope that now the time has come when, with steadfast support from the people and (some of) the press, Congressmen may be restored to proper realization of the real dignity, power and independence of their offices and function —and act without influence by consideration of executive favor or disfavor.

Houston, Tex. J. L. LOCKETT

Supreme Court Blunders

I feel very sad over the plight of those colored children who are forced to learn the hard way through the activity of those who make political capital of them, and I think it the most unforgivable political movement ever carried out in this nation. . . . Force and coercion in all of history has never yet achieved even among those of the same race a reasonableness that could be considered ideal. Has century after century of civilization left all of us with dependence alone upon Warren, Frankfurter and Co., aided by Gunnar Myrdal, to resolve in sensible form the teaching of the One Man?

When we are frank to admit our failure, then may come the beginning of wisdom.

. . . The Supreme Court made one colossal blunder a century ago in the Dred Scott Decision, and has made another one in the school desegregation decision. . . .

Arlington, Va. THOMAS B. QUINN

"A Clarification of Issues"

Recently you quoted a statement made by President Eisenhower and asked your readers to attempt to punctuate it [August 3]. At a press conference on May 11, 1955, the same orator gave the following, which I request that you not only punctuate, but parse:

> This business of trying to reach a clarification of issues if such a thing is possible is so important that you can't stand on any other principle except to do your utmost as you preserve your own strength of position as long as you are not sacrificing as long as you are not expecting too much don't be just stubborn in your refusal to expect anything but to go ahead and see what you can find about it.

And to think! Poor Queen Elizabeth has been criticized for her public utterances!

Baltimore, Md. MARIE A. HAMILL

Little Rock, USSR

Last Thursday the Russian Ambassador to the UN told the Ceylonese Ambassador that, if he went to Little Rock, he would be treated worse than in Hungary because of his color. Though never in either Hungary or Little Rock, I have been in the Soviet Union three times, and especially noted the treatment of their non-whites.

Comprising 16 per cent of the total population as compared with 10 per cent in the U.S., their non-whites by a system of internal passports are not permitted to travel except in the Southern tier of Soviet States. Year before last when Supreme Court Justice William O. Douglas visited those areas, he reported (*Look*, December 13, 1955):

> The Soviets have foisted segregation on Central Asia. There are separate schools for the natives and separate schools for the Russians.

It is fortunate that our brand-new Ambassador Maxwell H. Gluck has arrived in Ceylon to explain this to Prime Minister Bandaranaike (doesn't rhyme with Ike).

New York City ALFRED KOHLBERG

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